S.B. CIVIL WRIT PETITON No.360/2003
ANIL KUMAR V/s STATE TRANSPORT APPELLATE TRIBUNAL & Ors.

6.2.2007

HON'BLE MR. JUSTICE MOHAMMAD RAFIQ

Shri Pradeep Mathur for the petitioner.
Shri B.S. Chhaba, Dy. G.A.

Learned counsel for the parties agrees that the controversy raised in this writ petition is squarely covered by a decision of a co-ordinate Bench of this court in S.B. Civil Writ Petition No.326/2003, Ashok Kumar v/S S.T.A.T. & Ors, decided on 15.12.2006. In fact, it is submitted that the order of S.T.A.T. dated 31.12.2002 which is impugned in the present writ petition, was also under challenge in the said writ petition and both the matters were decided by S.T.A.T. by a common order.

Accordingly, this writ petition is allowed and the order dated 31.12.2002 is set aside in the light of the aforesaid judgment and the matter is remanded back to S.T.A.T. for fresh adjudication for the reasons stated therein.

(Mohammad Rafiq),J.